

1 Susan E. Coleman (SBN 171832)
2 E-mail: scoleman@bwslaw.com
3 Carmen M. Aguado (SBN 291941)
4 E-mail: caguado@bwslaw.com
5 BURKE, WILLIAMS & SORENSEN, LLP
6 444 South Flower Street, Suite 2400
7 Los Angeles, CA 90071-2953
8 Tel: 213.236.0600 Fax: 213.236.2700

9 Attorneys for Defendants
10 THE GEO GROUP, INC., CAMPOS, and DIAZ

11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

OMAR ARNOLDO RIVERA
MARTINEZ; ISAAC ANTONIO
LOPEZ CASTILLO; JOSUE
VLADIMIR CORTEZ DIAZ; JOSUE
MATEO LEMUS CAMPOS;
MARVIN JOSUE GRANDE
RODRIGUEZ; ALEXANDER
ANTONIO BURGOS MEJIA; LUIS
PEÑA GARCIA; JULIO CESAR
BARAHONA CÓRNEJO, as
individuals,

Plaintiffs,

v.

THE GEO GROUP, Inc., a Florida
corporation; the CITY OF
ADELANTO, a municipal entity; GEO
LIEUTENANT DIAZ, sued in her
individual capacity; GEO
SERGEANT CAMPOS, sued in his
individual capacity; SARAH JONES,
sued in her individual capacity; THE
UNITED STATES OF AMERICA;
CORRECT CARE SOLUTIONS,
INC.; and DOES 1-10, individuals,

Defendants.

Case No. 5:18-cv-01125-SP
**DEFENDANTS' [PROPOSED]
STATEMENT OF THE CASE**

Pretrial Conference
Date: January 21, 2020
Time: 10:00 a.m.

Trial date: February 3, 2020
Time: 9:00 a.m.

Magistrate Judge: Honorable Sheri Pym

///

1 Defendants propose the following Statement of the Case.
2
3 The parties met and conferred regarding a joint statement, but were unable to
4 agree upon a neutral and concise statement.
5
6 Dated: January 14, 2020 BURKE, WILLIAMS & SORENSEN, LLP
7
8 By: /s/ Carmen M. Aguado
9 Susan E. Coleman
10 Carmen M. Aguado
11
12 Attorneys for Defendants
13 THE GEO GROUP, INC.,
14 CAMPOS, and DIAZ
15
16
17
18
19
20
21
22
23
24
25
26
27
28

STATEMENT OF THE CASE

Plaintiffs are 8 individuals who were detained in the Spring of 2017 at the ICE Processing Facility in Adelanto, an immigration detention facility in San Bernardino County run by a corporation called The GEO Group, Inc.

Plaintiffs' names are:

- OMAR ARNOLDO RIVERA MARTINEZ;
- ISAAC ANTONIO LOPEZ CASTILLO;
- JOSUE VLADIMIR CORTEZ DIAZ;
- JOSUE MATEO LEMUS CAMPOS;
- MARVIN JOSUE GRANDE RODRIGUEZ;
- ALEXANDER ANTONIO BURGOS MEJIA;
- LUIS PEÑA GARCIA; and
- JULIO CESAR BARAHONA CORNEJO.

The Defendants in this action are The GEO Group, Inc., and two of its employees who worked as detention officers - Lieutenant Jane Diaz and Sergeant Giovanni Campos.

On June 12, 2017, the 8 Plaintiffs sat in the dayroom of their housing unit. They did not eat breakfast, and they handed the officer stationed at the podium a note in Spanish that contained a list of various demands about their food, water, bail amounts, and other issues.

Plaintiffs all refused to go back to their beds to be counted, which is an institutional requirement several times per day. GEO staff gave them numerous orders to return for count and attempted to negotiate with them. But, Plaintiffs refused to leave, and linked their arms together. Even after a can of pepper spray was displayed, Plaintiffs refused to leave. Eventually, fearing possible escalation of the incident, to enforce facility rules, and to quell the disturbance that Plaintiffs had caused, Lt. Diaz and Sgt. Campos used pepper spray, pulled Plaintiffs apart, and

1 escorted them outside.

2 Defendants contend they acted reasonably and did not violate any of
3 Plaintiffs' rights. Defendants deny that they hit, punched, pinched, or used any
4 force other than pepper spray and physical holds/restraints, and contend they acted
5 only to enforce orders and restore order as they are required to do as officers. They
6 did not intend to harm Plaintiffs or to violate any of their rights.

7 Plaintiffs were decontaminated from pepper spray exposure with water, and
8 they were medically evaluated.

9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28